

06.02.2024
34
sdas
rejected

C.R.M.(DB) No. 369 of 2024

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Haringhata Police Station Case No. 328 of 2022 dated 10.09.2022 under Sections 498A/302/34 of the Indian Penal Code.

And

In Re : Rehena @ Rehana Biswas petitioner

Mr. Shibaji Kumar Das

....for the petitioner

Mr. Abhra Mukherjee

Mr. Mirza Firoj Ahmed Begg

... for the State

1. Learned Counsel for the petitioner submits she is the mother-in-law of the victim housewife. She is in custody for more than one year. It is also submitted she did not ordinarily reside with the victim lady. Accordingly, she prays for bail.

2. Learned Counsel for the State disputes such fact and submits petitioner i.e. the mother-in-law, father-in-law and sister-in-law of the victim housewife committed the murder. Petitioner does not stand on the same footing with co-accused Imran Biswas, brother-in-law or husband, Javed Biswas of the victim housewife who were not present at the place of occurrence.

3. We have considered the materials on record. Petitioner is the mother-in-law of the victim lady. Statements of witnesses show that she and her husband i.e. father-in-law and

sister-in-law used to torture the victim lady. Her husband was not present at the matrimonial home on the date of occurrence. Allegation against the co-accused Imran Biswas that he is one of the conspirators. But, it is alleged that the petitioner was directly involved in the murder of the victim housewife. In view of incriminating materials disclosing direct complicity of the petitioner in the murder and gravity of the offence we are not inclined to grant bail to the petitioner.

4. Application for bail is, thus, rejected.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)